

## Section 504 of the Rehabilitation Act of 1973

Section 504 is a civil right law that applies to all postsecondary institutions that receive federal financial assistance. The law addresses issues to eliminate discrimination on the basis of disability. Section 504 does permit the federal government to take funding away from programs that do not comply with the law. The law states:

*No otherwise qualified individual with disabilities in the United States shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.*

Section 504 applies to all persons who:

- (1) Has a physical or mental impairment which substantially limits one or more major life activities,
- (2) Has a record of such an impairment, or
- (3) Is regarded as having such impairment.

Under Section 504, if parents (or guardians) believe their child should qualify for protections,

- (1) They should contact their child's school about an evaluation.
- (2) The law mandates that an evaluation must include a variety of assessment tools:
  - Teacher recommendations
  - Physical condition
  - Social and cultural background, behavior
  - Any independent evaluations
- (3) Evaluation and service decisions are made by a multi-disciplinary team of people familiar with the child who understands the means of evaluation and the special service options.

Under Section 504, an institution should affirm that:

- (1) All programs and services are physically accessible to all individuals. If a program is not physically accessible, it may require offering services in an alternate location or modifying buildings.
- (2) Assistive technology aids needs to be provided in order to make sure that students with disabilities can participate.
- (3) Accommodations need to be provided to both course offerings and examinations.

For further information

- 1-800-421-348, 1-800-368-1019 (Voice) 1-800-537-7697 (TDD)
- Website: <http://www.hhs.gov/ocr>